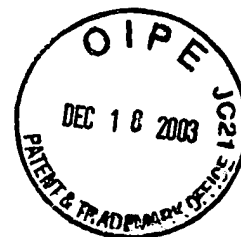




PATENT  
ATTY. DOCKET NO.: UCSD1630-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Fenical et al.	Art Unit:	1651
Application No.:	09/991,518	Examiner	I. Marx
Filed:	November 16, 2001		
Title:	MARINE ACTINOMYCETE TAXON FOR DRUG AND FERMENTATION PRODUCT DISCOVERY		



Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RECEIVED

DEC 24 2003

**STATEMENT UNDER 37 C.F.R. §§ 1.821(f) and (g);**  
**37 C.F.R. §§ 1.825(a) and (b)**

TECH CENTER 1600/2900

Sir:

I hereby state, as required by 37 C.F.R. §§ 1.821(f) and (g), that the information recorded in computer readable form is identical to the written sequence listing and does not include new matter.

I hereby state that the submission, filed in accordance with 37 C.F.R. § 1.825(a), is supported in the application, as shown in the enclosed Amendment, and does not include new matter.

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on December 15, 2003, in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Karen LePari*

Karen LePari

In re Application of:

Fenical et al.

Application No.: 09/991,518

Filed: November 16, 2001

Page 2


PATENT

ATTY. DOCKET NO.: UCSD1630-1

I hereby state that the substitute copy of the computer readable form, submitted in accordance with 37 C.F.R. § 1.825(b), is the same as the amended Sequence Listing.

Respectfully submitted,

Date: December 15, 2003



Emanuel J. Vacchiano, J.D., Ph.D.

Registration No. 43,964

Telephone: (858) 638-6754

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4365 Executive Drive, Suite 1100

San Diego, CA 92121-2133

**Customer Number: 28213**



PATENT  
ATTY. DOCKET NO.: UCSD1630-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Fenical, *et al.* Art Unit: 1651  
Application No.: 09/991,518 Examiner I. Marx  
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MAIL STOP AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TECH CENTER 1600/2900

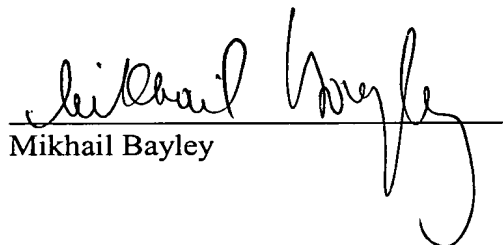
VERIFIED STATEMENT UNDER 37 C.F.R. § 1.821(f)

Sir:

I, Mikhail Bayley, declare that I personally prepared the paper and the computer-readable copies of the Sequence Listing filed herewith in the above-entitled case and that the content of both is the same.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of The United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: November 12, 2003

  
Mikhail Bayley

GRAY CARY WARE & FREIDENRICH LLP  
4365 Executive Drive, Suite 1100  
San Diego, CA 92121-2133

Customer Number: 28213

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, <u>12-15-03</u> , in an envelope addressed to: MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450.	
<u>Karen DePau</u>	
Name of Person Mailing Paper	
<u>Karen DePau</u>	<u>12-15-03</u>
Signature	Date